

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RICHARD HOEFT and
JOSEPH HOEFT,

Plaintiffs,

ORDER

v.

11-cv-390-wmc

MATT SCHERREL and
DAVE SCHULTZ,

Defendants.

On November 6, 2012, this court granted the plaintiffs (Richard Hoeft and Joseph Hoeft) leave to proceed *in forma pauperis* with their claim that the defendants (Matt Scherrel and Dave Schultz) violated their Fourth Amendment rights by conducting unreasonable searches of their vehicles. In that same order, the court denied Richard Hoeft leave to proceed with his claim that the defendants used excessive force against him. On December 12, 2012, the court stayed this case after Richard Hoeft filed a notice of appeal from that decision. On May 13, 2013, the court received notice that this appeal was dismissed for lack of jurisdiction. *Richard Hoeft v. Matt Scherrel, et al.*, No. 12-3767 (7th Cir. March 20, 2013).

IT IS ORDERED that:

1. Plaintiffs Richard Hoeft and Joseph Hoeft shall advise the court in writing within ten days whether they wish to proceed with the Fourth Amendment

claim authorized by the November 6, 2012 order. Both plaintiffs must sign this advisory.

2. Plaintiffs are advised that any failure to respond as directed will result in the dismissal of this case under Fed. R. Civ. P. 41(b).

Entered this 14th day of May, 2013.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge